

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Applicants: Fung-Lung Chung et al.

Examiner: C. R. Stone

Serial No.: 10/541,256

Art Unit: 1609

Filed: 4/17/2006

Confirmation No. 4893

For: COMPOSITIONS AND METHODS FOR
TREATING LUNG CANCER

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Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

DECLARATION UNDER 37 C.F.R. §1.132

Mail Stop Amendment
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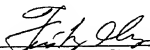
Sir:

1. I, Fung-Lung Chung, declare as follows:
2. I am a co-inventor in the application identified above.
3. The subject matter relied on the Yang et al. reference cited in the office action dated April 14, 2009 in support of the obviousness rejection of claims 1-6 and 12 was conceived of and invented by myself, Clifford Conway, and Yang-Ming Yang. All of the applicants are named as authors on the cited Yang et al. reference. The inventorship of the application identified above is correct in that the relevant subject matter disclosed in the Yang et al. reference is derived from the applicant rather than invented by the authorship published in the Yang et al. reference notwithstanding the authorship of the reference.

4. All statements made herein of my own knowledge are true and all statements made herein on information and beliefs are believed to be true. I understand that willful false statements and the like are punishable by fine or imprisonment or both (18 USC 1001) and may jeopardize the validity of the subject application or any patent issuing thereon.

Respectfully submitted,

By:


Fung-Lung Chung



Date